REMARKS

Claims 1, 3-11 and 18-22 are pending in the present application and have been rejected. Claims 1, 3, and 7-11 have been cancelled herein; claim 4 has been amended herein. Reconsideration and withdrawal of the rejections are respectfully requested in light of the above amendments and following remarks.

Claims 1, 3, 10 and 11 have been rejected under 35 U.S.C. 102(b) as being anticipated by Trenner (U.S. Patent No. 4,781,683). These claims have been cancelled, so it is respectfully submitted that these rejections are now moot.

Claim 4 has been rejected under 35 U.S.C. 102(b) as being anticipated by Trenner. The Examiner states that Trenner discloses an IV flush syringe assembly comprising a barrel (4) having an inside surface (3) defining a chamber (76) for retaining fluid, an open proximal end (6) and a distal end (8) including a distal wall (8) with an elongate tip distally extending therefrom having a passageway therethrough (46), the inside surface further including a contact area (32, 36) at the distal end of the barrel, and a plunger (2) including an elongate body portion (18) having a proximal end (22) a distal end (near 20) and a flexible stopper (100). The Examiner further contends that the contact area (32, 36) has a higher coefficient of friction than the inside surface outside of the contact area for engaging the stopper when the stopper is in contact with the distal wall for holding the stopper in a partially deflected position to prevent reflux back in to the chamber after fluid has been delivered from the chamber. The Examiner contends that "clearly the recess (32, 36) creates a higher coefficient of friction which inherently helps prevent movement of the plunger; Fig. 13 discloses that the rib is received in the recess (32, 36) when the stopper is in contact with said distal wall."

Applicants respectfully disagree. The coefficient of friction in the recess (32, 36) is in fact the same as the coefficient of friction throughout the inside surface of the barrel of Trenner, since the coefficient of friction is an element of the material of which the barrel is made. There is no disclosure in Trenner that the material of the recess is different in any way from the rest of the inside surface of the barrel. If the material is the same, then the coefficient of friction must be the same. The technique utilized in Trenner to lock projecting portion 108 into the annular groove 32 is a snap fit or positive lock, rather than a frictional engagement or interference fit. Trenner discloses that the "radially outwardly projecting portion 108 will snap into the first annular groove 32 and move into contact with the generally cylindrical inner surface 36 thereof. . . Therefore, movement of the plug means 26 in an axial direction away from the cannula means 10 is prevented." (Col. 9, lns. 26-36). The force generated within the annular groove 32 on the projecting portion 108 is a normal force acting in the axial direction, generated by the proximal perpendicular surface of the annular groove 32. This is not a friction force.

Claim 4 has been amended herein to further clarify that the contact area having the higher coefficient of friction utilizes frictional engagement to engage the stopper. Trenner does not disclose a

contact area having a higher coefficient of friction than the rest of the inside surface of the barrel outside of the contact area. Moreover, Trenner does not discloses friction engagement of the stopper, but rather a snap fit engagement of the radially outwardly projection with the annular groove. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. §2129 (quoting *Verdegall Bros. v. Union Oil CO. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053(Fed. Cir. 1987). Since Trenner fails to disclose each of the limitations of independent claim 4, it is respectfully submitted that the 35 U.S.C. 102(b) rejection should be withdrawn. Moreover, all of the remaining claims depend either directly or indirectly from independent claims 4 which is believed to be allowable for at least the reasons set forth above. As such, it is respectfully submitted that all the remaining rejections, including the 35 U.S.C. 103(a) rejections, should be withdrawn as well.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (201) 847-6797 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 02-1666 therefor.

Dated: February 10, 2008

Respectfully submitted,

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